

State of California
Business, Transportation and Housing Agency
Department of Transportation

PROJECT BUSINESS MATTERS
Extension Request – Project Allocation
Resolution: Waiver 02-09
Action Item

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Original Signed By
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TIME EXTENSION REQUEST
CTC RESOLUTION G-01-21, STIP GUIDELINES
SECTION 65 – TIMELY USE OF FUNDS

STATE TRANSPORTATION IMPROVEMENT PROGRAM
WAIVER 02-09

ISSUE

Resolution G-01-21, *STIP Guidelines*, adopted by the California Transportation Commission (Commission) on July 12, 2001, stipulates that funds programmed for Caltrans construction costs are available for allocation only until the end of the fiscal year (FY) identified in the State Transportation Improvement Program (STIP).

Per Section 66 (Delivery Deadline Extension) of Resolution G-01-21, the Department requests to extend the deadline for construction allocation by twenty (20) months, until February 29, 2004, for the Madera Route 99 project (PPNO 5355) programmed with \$3,400,000 in Regional Improvement Program (RIP) funds. The extension is needed to prepare a more comprehensive environmental document and to allow additional time for potential right of way condemnation process.

SUMMARY

This project (PPNO 5355, EA 06-407200) will modify Route 99 interchanges at Route 145 and Gateway Drive in Madera County. The City of Madera is responsible for the delivery of environmental, design and right of way (PA&ED, PS&E and R/W) phases of the project, and the Department will be responsible for the construction phase after the completion of the PA&ED, PS&E and R/W phases.

The original City of Madera project schedule was aggressive and included some inherent risk. The schedule assumed optimistic review times and favorable comments from the Federal Highway Administration (FHWA) and the State Historic Preservation Office (SHPO) concerning the project impacts to potentially historic properties. However, the City's project team recently discovered that two properties might be eligible for Section 4F right of way treatment. Based on recent feedback from FHWA and SHPO, a Programmatic 4F Review process will be needed and that will require a longer review period. This will cause an 8-month delay in the project schedule for approval of the Final Environmental Document.

The original schedule also included an assumption that no condemnation action would be required for property acquisition. Since a resolution of necessity would not be sought prior to environmental clearance, an additional 12-months is included in this extension request to account for the potential risk of property condemnation after the completion of the environmental document. If it is later determined that no condemnation action is necessary, the project would only be delayed for 8 months due to the additional Section 4F process and the longer review time for Final Environmental Document approval.

The current schedule for the project will result in submittal of the Draft Environmental Document to FHWA in late April, and Final Environmental Document approval is now anticipated in February 2003. Early property acquisition will begin in April of this year, and design (PS&E) is currently 95% complete.

The Madera County Transportation Commission and the City of Madera recognize the delay due to the environmental concerns and the potential right of way condemnation, and they support this 20-month allocation extension request for the construction phase that the Department will manage.

RECOMMENDATION

The Department recommends approval of this project allocation extension request.